

Conservation Commission Meeting Minutes
June 1, 2011

Members Present: Louis A. Napoli, Chairman; Deborah A. Feltovic; Sean McDonough; Douglas W. Saal; Albert P. Manzi Jr. (arrived 7:50 p.m.).

Members Absent: John J. Mabon, Vice Chairman; Joseph W. Lynch, Jr.

Staff Members Present: Heidi M. Gaffney, Conservation Field Inspector

Staff Member Absent: Jennifer A. Hughes, Conservation Administrator; Donna M. Wedge, Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:40 PM Quorum Present.

General Business

242-1447, Modification Request, 2357 Turnpike Street (Valley Realty Development, LLC) (Vorbach Architecture) (Merrimack Engineering Services, Inc.) (Request to cont. to 6/22/11)

- The field inspector states that the applicant is requesting a continuance to the June 22, 2011 meeting.
- A motion to grant the continuance to June 22, 2011 was made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

Decision

242-1510, 707 Turnpike Street

- The field inspector reviews the draft Order of Conditions with the commission.
- The commission discusses the fence which is proposed to be a post and rail fence and requests that the fence be conditioned to be a chain link fence.
- A motion to accept and issue the Order of Conditions as-amended made is by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.

242-1517, 60 Raleigh Tavern Lane

- The field inspector reviews the draft Order of Conditions with the commission.
- A motion to accept the Order of Conditions as-drafted is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote 4 to 1 (Mr. Manzi abstained due to not being present for the beginning of the meeting).

Mr. Manzi arrives at 7:50 pm.

Recess from 7:55 pm to 8:03 pm.

Public Hearings 8:00 PM:

Abbreviated Notice of Resource Area Delineation (ANRAD)

242-1518, 143 L-5B, L-4A, L-3A Lacy Street (O'Mahony Family Farm, LLC) (Norse Environmental Services, Inc.) (cont. from 5/18/2011) (Request to cont. to 6/22/2011)

- The field inspector states that Art Allen of Eco Tec will be conducting his review on Tuesday June 7, 2011, and the applicant requests a continuance to June 22, 2011 to allow time for the evaluation and report by Eco Tec.
- A motion to grant the request for a continuance to the June 22, 2011 meeting is made by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.

Notice of Intent (NOI)

242-1513, 1600 Osgood Street/285 Holt Road (1600 Osgood Street, LLC) (Epsilon Associates, Inc.) (cont. from 5/18/2011)

- Julie Vondrak of Epsilon Associates, Inc. discusses the project, reviewed the discussion from the previous public hearing on May 18, 2011 and reviewed the proposed on-site mitigation.
- Ms. Vondrak discusses the sediment in the stream and the extent of the proposed sediment removal. She states the need to reduce the velocity of the runoff from the 285 Holt Road site. Ms. Vondrak then discusses the trees that will need to be removed and the need for a wide right-of-way for the pipe line to prevent future trees from falling on the pipe line. She states that they are working on a future stormwater plan, which she will be submitting separate from this filing.
- Mr. Manzi asks Ms. Vondrak what she is looking for from the commission tonight.
- Ms. Vondrak states she is looking for feedback on the three big issues, sediment removal, mitigation and stormwater.
- Discussion ensues regarding stormwater management and improvements.
- Scott Emerson from Wheelabrator discusses where they are with stormwater.
- Discussion ensues regarding whether the applicant can separate the stormwater project from this current filing or if it needs to be addressed as part of this filing.
- Ms. Vondrak requests a continuance to July 13, 2011 on behalf of the applicant.
- A motion to grant the request for a continuance to the July 13, 2011 meeting is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
 - Julie Vondrak handed out a plan during the meeting to the commission members.

242-1519, 1-120 Millpond Townhomes (Verizon) (Resource Controls Associates, Inc.)

- Mr. Saal reads the legal ad.
- Julie Freshman of Resource Controls Associates, Inc. presents the trenching work that was done by Verizon and discusses the proximity to resource areas.
- The commission discusses the history with Ms. Freshman and inquired as to how this work was done without a permit.
- Mr. Manzi discusses the plan requirements and that the plan that was submitted is not a surveyed plan.

- Ms. Freshman states that the plan is overlaid on an aerial view, which is how she typically shows the work areas.
- Mr. Manzi states that there are no exceptions to the plan requirements and that they must submit a surveyed plan.
- Mr. Manzi states that work that was conducted in the 25' - No Disturb area may need to be moved to outside of the 25' - No Disturb and that an alternatives analysis needs to be submitted.
- The commission and Ms. Freshman discuss the impacts and the plan requirements, as well as the fines that will be assessed for the violation.
- Ms. Freshman requests a continuance to the July 13, 2011 meeting.
- A motion to grant the request for a continuance to the July 13, 2011 meeting is made by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*
 - *WPA Form 3 Notice of Intent Application and associated documents*
 - *Plan titled "Site Plan, Verizon New England, Inc., millpond townhomes, North Andover, MA", prepared by Resource Controls, dated 5/16/11, revision date of 6/1/2011.*
 - *Photos dated 5/27/2011 and 5/31/2011*

242-1521, 12 Massachusetts Avenue (Global Companies, LLC) (Hancock Environmental Consultants)

- Ms. Feltovic reads the legal ad.
- Joe Peznola of Hancock Environmental presents the project and discusses the stormwater provisions and the redevelopment checklist.
- Mr. Peznola reviews the proposed improvements to the stormwater management on the site, which includes the addition of a stone trench to act as a level spreader at the rear/side of the parking lot where there is currently erosion down the side of the bank. Mr. Peznola also discussed the limits to the stormwater improvements.
- Mr. McDonough asks about the old tanks versus the new tanks and the storage capacity.
- Steve Sharon from Global Companies, LLC states that the old tanks are single wall and the new tanks will be double wall and that the new tanks will have a larger storage capacity than the existing tanks.
- Discussion ensues regarding the depth of the excavation and that there appears to be a restriction on excavation below 8 feet due to contaminated soils being discovered during a Phase 2 investigation. Mr. Sharon states that an LSP needs to be onsite if excavation will be below 8 feet.
- Ms. Feltovic discusses the four proposed stormwater improvements and the checklist regarding the redevelopment.
- The commission discusses the soil management, stockpiling and containment needs of the site.
- Mr. Peznola requests a continuance to the June 22, 2011 meeting.
- A motion to grant the request for a continuance to the June 22, 2011 meeting is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.
- *Documents:*

- *WPA Form 3 Notice of Intent Application and associated documents*
- *Plan titled “Permit Site Plan for Notice of Intent”, prepared by Hancock Environmental Consultants, dated 5/31/2011.*
- *Photos dated 5/26/2011*

242-1520, 50 Tiffany Lane (Seville) (Pennoni Associates, Inc.)

- Ms. Feltovic reads the legal ad.
- Ben Osgood, Jr. of Pennoni Associates, Inc. presents the project.
- Mr. Osgood discusses the history of the property and that at some point in the past a portion of a stone boundary wall was moved and abutting land belonging to Greenbelt was encroached upon and the encroachment was also within buffer zone to bordering vegetated wetland.
- Mr. Osgood discusses that he made Greenbelt aware of the issue and that the boundary wall will be restored to its proper location and the buffer zone area between the restored wall and the wetland will be allowed to re-vegetate naturally.
- Discussion ensues about the need for a planting plan to ensure proper restoration of the buffer zone and Mr. Osgood agrees to supply a planting plan.
- Mr. Osgood discusses the pool filter and states that the pool filter is proposed to be located outside of the 100-foot buffer zone. The commission agrees that a regular pool filter is ok and it does not need to be a cartridge style as long as it is located outside of the 100-foot buffer zone.
- Mr. Seville and Mr. Osgood request permission to begin moving the stone wall to its proper location, as well as to dismantle the above ground pool.
- The commission grants permission to move the stone wall by hand only and to dismantle the above ground pool by hand but not to re-construct it.
- Mr. Osgood requests a continuance to the June 22, 2011 meeting.
- A motion to grant the request for a continuance to the June 22, 2011 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.
- *Documents:*
 - *WPA Form 3 Notice of Intent Application and associated documents*
 - *Plan titled “Assessor’s Map 104D Parcel 21, 50 Tiffany Lane, North Andover, MA 01845”, prepared by Pennoni Associates, Ind., dated 5/19/11, revision date of 5/31/2011.*
 - *Photos dated 6/1/2011*
 - *Letter from Essex County Greenbelt dated May 5, 2011*

A motion to adjourn the meeting at: 9:50 PM made by Ms. Feltovic, seconded by Mr. McDonough.
Vote unanimous.